



**LEGAL SERVICES CORPORATION**  
**Request for Proposals for the**  
**Provision of Civil Legal Services**  
**(FY 2004 – Narrative Instruction)**

**Applicants are encouraged to submit inquiries regarding the competitive grants process to the LSC Competition Service Desk.** Contact the service desk at [competition@lsc.gov](mailto:competition@lsc.gov). Contact Reginald Haley at [haley@lsc.gov](mailto:haley@lsc.gov), if you do not receive a response from the service desk within 48 hours. Visit the LSC competition website at [www.ain.lsc.gov](http://www.ain.lsc.gov) for updates on the grants competition.

**LSC will hold an Applicant Information Session (AIS), on May 22, 2003 (2:00 p.m. ET).** This is a free telephonic conference sponsored by LSC to assist applicants in preparing the competitive grant application and to promote participation in the competitive grants process. See Appendix H of the RFP for details about the conference.

**NOTE:**

<b>1</b>	Document submission <b>deadlines</b> (see page 5 for details)
<b>2</b>	LSC uses the LSC Resource Initiative (LRI) to explore innovative projects and “best” practices in legal services delivery. In this RFP we are asking applicants to voluntarily showcase novel or particularly effective delivery strategies that they utilize; or identify a delivery topic for LRI research. (see page 18 for details) <i>Applicants are encouraged to visit <a href="http://www.lri.lsc.gov">www.lri.lsc.gov</a> regularly to explore innovative projects and “best” practices in legal services delivery.</i>
<b>3</b>	<b>Separate narrative supplements</b> are required from applicants competing for multiple service areas. (see page 21 through 23 for details)
<b>4</b>	<b>Applicants applying for a service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan.</b> (see page 7, page 19, page 39, and Form-F Instructions for details)
<b>5</b>	Applicants will be required to submit <b>subgrant information</b> if twenty-five percent or more of the LSC grant award will be allocated by subgrant, or a subgrant is proposed for delivering a full range of services to a specific geographic area within the applicant's service area. <b>(see page 8 before preparing subgrant information.)</b>
<b>6</b>	<b>Assistance to applicants preparing competitive grant applications:</b> <ul style="list-style-type: none"><li>a. LSC Evaluation Guidelines at: <a href="http://www.ain.lsc.gov">www.ain.lsc.gov</a></li><li>b. LSC Performance Criteria – see Appendix C – RFP</li><li>c. Guidance on Responding to the RFP – see Appendix K – RFP</li><li>d. Responses to Frequently Asked Questions – see Appendix F - RFP</li><li>e. LSC Service Desk - <a href="mailto:competition@lsc.gov">competition@lsc.gov</a></li><li>f. LSC Applicant Information Session – see Appendix H – RFP</li><li>g. LSC Legal Resource Initiative at: <a href="http://www.lri.lsc.gov">www.lri.lsc.gov</a></li><li>h. Applicant Information Network at: <a href="http://www.ain.lsc.gov">www.ain.lsc.gov</a></li></ul>
<b>7</b>	<b>Discontinued Forms:</b> Form E12 (Projected Staffing) & Form G-11 (Projected CSRs)

## TABLE OF CONTENTS

### I. OVERVIEW

Overview .....	4
Requests for Information .....	5
Competition Dates .....	5

### II. ELIGIBILITY AND FUNDING

Eligibility .....	6
Notice of Intent to Compete.....	7
Governing/Policy Body Requirement.....	7
Private Attorney Involvement Requirement .....	8
Subgrants .....	8
Award Period .....	8
Availability of Funds .....	8

### III. SERVICE AREAS

Service Areas .....	9
Combining Service Areas .....	9
Full Range of Services .....	9

### IV. APPLICABLE LAW AND GRANT REQUIREMENTS

Applicable Law .....	10
General LSC Reporting Requirements .....	11
Nondiscrimination .....	11
Freedom of Information Act .....	11

### V. APPLICATION PROCESS AND INSTRUCTIONS

Submission Procedures .....	12
Notice of Intent to Compete .....	12
Nonconforming Submissions.....	12
New Applicants .....	12
Notice of Intent to Withdraw Application .....	12
Instructions on Format .....	13
Acknowledgment of Receipt.....	13
Applicant Information Session .....	13

**VI. APPLICATION REVIEW AND SELECTION PROCESS**

Application Review .....	13
Selection Criteria .....	14

**VII. AWARD NOTIFICATION AND GRANT NEGOTIATION**

Grant Negotiations .....	15
Transition Issues .....	15
Final Award Decisions.....	16

**VIII. APPLICATION COMPONENTS**

Application Components .....	16
------------------------------	----

**IX. GUIDELINES FOR PROPOSAL NARRATIVE**

General Guidelines .....	21
Weighting of the Narrative .....	21
Applications for Multiple Service Areas .....	21
Part 1 -- Proposed Delivery System.....	24
Part 2 -- Other Requirements .....	39

<b>ATTACHMENT 1 - Proposal Narrative Outline.....</b>	<b>42</b>
---	-----------

<b>ATTACHMENT 2 - Cover Sheet .....</b>	<b>45</b>
---	-----------

<b>ATTACHMENT 3 - Certification of Intent to Enter into Subgrant Agreement .....</b>	<b>46</b>
--	-----------

**FORMS**                      **RFP forms and their instructions are available for review and printing at [www.ain.lsc.gov](http://www.ain.lsc.gov)**

**APPENDICES**            **RFP Appendices are available for review and printing at [www.ain.lsc.gov](http://www.ain.lsc.gov)**

**Except where otherwise noted, resource materials referenced throughout the RFP are available at [www.ain.lsc.gov](http://www.ain.lsc.gov).**

## LEGAL SERVICES CORPORATION REQUEST FOR PROPOSALS

**Applicants should read this Request for Proposals (RFP) in its entirety before preparing a proposal. The instructions contain information specific to the proposal content, format, presentation, and applicable law and regulations. All successful applicants will be expected to be in strict compliance with these requirements.**

### I. OVERVIEW

The Legal Services Corporation (LSC) is a private, non-profit corporation established by Congress in 1974 to provide funding for the provision of civil legal services to low-income persons. In Fiscal Year (FY) 2003, approximately \$320 million in grant funds were distributed to 161 local legal services programs operating more than 900 neighborhood offices. It is anticipated that Congress will appropriate a similar amount to fund legal services for FY 2004.

LSC proposes to award grants to programs to serve every county in the United States; the District of Columbia; the territories, including American Samoa, the Commonwealth of Puerto Rico, the U.S. Virgin Islands and Guam; and an area that includes the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. LSC regulations require these programs to be administered by local governing or policy bodies, a majority of whose members are appointed by state and/or local bar associations and at least one-third of whose members are eligible clients. The programs provide legal assistance to individuals pursuant to established local priorities that respond to pressing community needs.

LSC has promulgated a suggested list of priorities for use by the local governing or policy bodies in setting their local priorities. See LSC Program Letter 96-2 at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). The most common categories of cases handled by LSC recipients are family, housing, income maintenance, consumer, health, and employment. Case types frequently encountered include evictions, debt collection, foreclosures, divorces, child custody, spousal abuse, child abuse or neglect, access to health care, and benefit claims such as unemployment, disability, food stamps, and public assistance.

Congress has adopted legislation mandating a system of competition for the award of LSC grants and contracts, which became effective April 1, 1996. As a result, LSC has adopted a regulation, 45 C.F.R. Part 1634, entitled Competitive Bidding for Grants and Contracts. Under this competitive process, LSC invites proposals from interested parties for the provision of civil legal assistance in the service areas listed at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). Consistent with the law and regulations, LSC will not grant any preference to current or previous recipients of LSC funds.

Through this competitive process, LSC hopes to fund those qualified attorneys, organizations and entities that will most effectively and efficiently provide high quality legal representation to eligible clients within a comprehensive, integrated statewide delivery system.

In the event that enactment of future congressional legislation necessitates changes in the timing and/or content of this RFP, notice will be provided to the public and all applicants. In such circumstances, continued funding may be provided to the current recipient during any interim period necessitated by congressional actions. See also Section III.

**REQUESTS FOR INFORMATION.** Applicants should direct all inquiries to the LSC competition service desk at [competition@lsc.gov](mailto:competition@lsc.gov).

### COMPETITION DATES

		<b>Group (A) States</b>	<b>Group (B) States</b>
1	Registration for Applicants Informational Session	By May 9, 2003 (5:00 p.m. ET)	By May 9, 2003 (5:00 p.m. ET)
2	Applicant Information Session Conducted	May 22, 2003 (2:00 p.m. ET)	May 22, 2003 (2:00 p.m. ET)
3	Notice of Intent to Compete Due Date	May 23, 2003 (5:00 p.m. ET)	July 11, 2003 (5:00 p.m. ET)
4	Grant Proposal Due Date	June 23, 2003 (5:00 p.m. ET)	August 8, 2003 (5:00 p.m. ET)
5	Grant Decisions Published	December 2003	December 2003

#### Group (A) states:

1. Alabama	8. Georgia	15. North Carolina
2. American Samoa	9. Illinois	16. Oklahoma
3. Arkansas *	10. Indiana	17. Pennsylvania
4. California	11. Kentucky *	18. Tennessee *
5. Colorado	12. Louisiana	19. Texas *
6. District of Columbia	13. Massachusetts	20. Wisconsin
7. Florida	14. Montana	21. Wyoming

\* Migrant service area only.

#### Group (B) states:

1. Mississippi 2. Missouri	3. Nevada 4. New York
-------------------------------	--------------------------

## II. ELIGIBILITY AND FUNDING

**ELIGIBILITY.** The following persons, groups, and entities are eligible to compete for a grant:

1. Non-profit organizations that have as a purpose the provision of legal assistance to eligible clients;
2. Private attorneys, groups of attorneys or law firms (except that no private law firm that expends 50 percent or more of its resources and time litigating issues in the broad interests of a majority of the public may be awarded a grant or contract under the Legal Services Corporation Act)<sup>1</sup>;
3. State or local governments; and
4. Sub-state regional planning or coordination agencies that are composed of sub-state areas whose governing boards are controlled by locally elected officials.

As described in Section IV of the RFP, all applicants should review the provisions of the Legal Services Corporation Act (LSC Act), regulations, guidelines, and the provisos contained in current Congressional appropriations acts. These provisos contain restrictions on the activities of recipients of LSC funds and may affect the eligibility of potential applicants.

**NOTICE OF INTENT TO COMPETE.** In order to participate in the competition process, an applicant **must** submit a Notice of Intent to Compete to LSC. LSC requires all applicants to submit the Notice of Intent to Compete electronically, using LSC's Applicant Information Network (AIN).

---

<sup>1</sup> A group of attorneys (not a law firm) can compete for LSC grants under two options:

- (1) it can choose to compete as a non-incorporated body, as long as it complies with the requirements set forth in 45 C.F.R. 1607; or
- (2) it can elect to incorporate as a non-profit and apply for federal tax-exempt status as a non-profit.

If the group elects the second option, the group of attorneys does not have to be fully incorporated and does not have to already have its tax-exempt status to file a Notice of Intent to Compete. However, the group must be incorporated as a non-profit, have its governing body in place and have already filed with the IRS for its tax-exempt status by the time it submits its completed grant application.

Applicants must use Netscape Navigator version 4.0 (or higher) or Microsoft Internet Explorer 5.0 (or higher) to use AIN. AIN and the instructions on how to use it are available at [www.ain.lsc.gov](http://www.ain.lsc.gov). The Notice of Intent to Compete is Form H. The Notice requires the electronic submission of the following information:

1. The names and resume information of the principals and key staff; and
2. The names and resume information of current or proposed governing or policy body members and their appointing organizations.

Any applicant, including a current recipient of LSC funds, that fails to submit a timely Notice of Intent to Compete will be ineligible for the 2004 grant year competition. Applicants that are unable to use the LSC Internet application due to extraordinary circumstances beyond their control must contact LSC at [competition@lsc.gov](mailto:competition@lsc.gov), prior to the due date of the Notice of Intent to Compete. LSC can agree to extend the date for submission of that Notice in the event of extraordinary circumstances.

**GOVERNING/POLICY BODY REQUIREMENT.** All successful applicants must have a governing or policy body consistent with the requirements of 45 C.F.R. Part 1607 of the LSC regulations. An applicant that is not in compliance at the time the grant is awarded will be required to be in compliance with 45 C.F.R. Part 1607 within sixty days from the date the grant award is made. This regulation is designed to ensure that the governing or policy body of a recipient of LSC funds is well qualified to guide a recipient in its efforts to provide high quality legal assistance and to ensure that the recipient is accountable to its clients.

Applicants that do not currently have a governing or policy body that complies with 45 C.F.R. Part 1607 must provide a plan to meet the governing/policy body requirements. Note: Applicants applying for a service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan that assures that a majority of the entire Board be attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s). See Part - 2 – A (Other Required Documents – Governing/Policy Body) of this document and Form F Instructions for details.<sup>2</sup>

For applicants planning to have a policy body, submission of this plan shall be deemed submission of a waiver request under 45 C.F.R. Part 1607 and shall be subject to approval by the President of LSC under Part 1607. **Submit the governing/policy body plan along with and at the end of the proposal narrative.**

---

<sup>2</sup> This requirement helps assure that the governing/policy body of an LSC grantee reasonably reflects the diversity of the legal community and the population of the areas served including race, gender, ethnicity, and other similar factors; is sensitive to the diverse needs of the community; and has the capacity to promote high quality client-centered legal services in newly defined and/or diverse service areas.

**PRIVATE ATTORNEY INVOLVEMENT REQUIREMENT.** All successful applicants (including private attorneys, groups of attorneys and law firms) for Basic Field-General service areas will be required to comply with 45 C.F.R. Part 1614, which requires that an amount equal to at least 12 1/2% of the annual LSC award will be devoted by the applicant to the involvement of private attorneys in the delivery of legal services to the poor. This requirement seeks to leverage limited resources by involving the bar through pro bono and compensated programs that generate additional services for eligible clients.

**SUBGRANTS.** Applicants are required to submit subgrant information if twenty-five percent or more of the LSC grant award will be subgranted, or if a subgrantee will deliver a full range of services to a specific geographic area within the overall service area. **The information required for subgrants is detailed on page 37 of this instruction.** Applicants are also required to review Section 1627 of the LSC Regulation. The LSC Regulation is at Appendix J of the RFP Appendices.

**Note:** Applicants are asked to contact LSC's Office of Program Performance (OPP) beforehand if there are plans to use subgrants to provide a full range of services to a specific geographic area, or if 25 percent or more of the LSC grant will be subgranted. LSC may not approve such subgrants absent special circumstances justifying them. Applicants should contact LSC/OPP at [competition@lsc.gov](mailto:competition@lsc.gov), if there are plans to use subgrants of this nature in its delivery of legal services. Include in your e-mail: **a)** the applicant name, **b)** the applicant number, **c)** applicant contact information, **d)** the service area you are applying for, **e)** a brief description of the subgrant proposed, and **f)** the name of the proposed subgrantee, if available. **Write "Subgrant" on the subject line of the e-mail.** LSC staff will contact you about this matter as soon as possible.

**AWARD PERIOD.** Grants awarded under this competitive process will be for periods of up to three years. LSC anticipates that most grants will be awarded for periods ranging between one and three years. Some grants may also be awarded for less than one year. Monitoring for compliance with the grant terms, and with the LSC Act, regulations, guidelines, and instructions may be conducted during the grant period. Noncompliance with the grant terms, applicable laws, or regulations may result in termination of the grant award at any time during the grant period. Applicants awarded multi-year grants will be required to submit reports and grant renewal forms as part of the annual grant renewal process.

**AVAILABILITY OF FUNDS.** The final LSC appropriation for FY 2004 is not expected to be known until late fall 2003. For purposes of completing this application, it is anticipated that the FY 2004 funding level for grants will be similar to that for FY 2003, which was approximately \$320 million. However, since LSC funding is subject to future Congressional action, there is no guarantee that this amount of funding will be available.

A list of service areas and estimated FY 2004 funding levels for each service area can be found at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). The actual grant



awards for individual service areas will be based on the amounts, terms and conditions contained in the final FY 2004 appropriation and calendar year 2000 census data, and may vary significantly from the amount estimated. Revised budgets and plans, based on the final appropriation, may be required from all successful applicants. LSC reserves the right to: 1) vary the amount awarded from the amount applied for; and 2) provide funding in graduated amounts to assist new recipients with start-up and transition.

### III. SERVICE AREAS

**SERVICE AREAS.** There are three types of service areas: Basic Field-General, Basic Field-Native American, and Basic Field-Migrant. The list of service areas for which FY 2004 grants are available is at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). Applicants may apply for grants for one or more of the service areas. LSC will not consider proposals to divide service areas into smaller units. Applicants must apply for the full amount of the grant funds available for the service area(s) included in their proposal.

Due to the limited funding available and the need to enhance program effectiveness and efficiency, LSC encourages applications that propose to consolidate two or more service areas, or that propose a process to do so within the next year. LSC may, in its discretion, award a grant for one or more than one of the service areas competed for by an applicant. LSC may also decide not to award a grant to any of the applicants for a particular service area.

If there are service areas for which no applicant applies or for which there is no qualified applicant, LSC has discretion to determine how legal assistance is to be provided to the service area. LSC's options include, but are not limited to, enlarging the service area of a neighboring recipient or entering into a short term grant or contract with another qualified provider for the provision of legal assistance in the service area until the completion of a competitive grants process within a reasonable period of time. (See 45 C.F.R. §§ 1634.8, 1634.9).

**COMBINING SERVICE AREAS.** If a successful applicant is awarded more than one service area, LSC may, in its discretion, combine the service areas into a single service area.

**FULL RANGE OF SERVICES.** LSC seeks to fund proposals to provide a full range of services throughout each service area, consistent with the restrictions of the LSC Act and the appropriations acts. The proposal narrative (Section IX) requires applicants to describe plans to provide services to meet the basic legal needs of the eligible client population in the service area. Form G-12 (Projected Expenditures by type of Activity) provides a listing of the types of cases and services typically undertaken on behalf of low-income clients.

Proposals to provide less than the full range of legal services to clients in a service area -- e.g., services limited to representation in a single area of the law such as housing, divorces, or bankruptcy, or proposals limited to a particular type of representation such as advice, referral and

brief service -- will not be accepted, unless the applicant demonstrates to LSC's satisfaction, that it is or will be, part of a delivery system that ensures the availability of a full range of legal assistance in that service area.

#### IV. APPLICABLE LAW AND GRANT REQUIREMENTS

**Applicants should be thoroughly familiar with the provisions of the LSC Act, regulations and guidelines, and with the provisos contained in current and pending Congressional appropriations acts. All recipients will be required to comply with all requirements contained therein. As noted above, the terms and conditions of the RFP are subject to change, pending Congressional action on FY 2004 appropriations and authorization bills.**

**APPLICABLE LAW.** All grants made pursuant to this solicitation will be subject to the LSC Act of 1974, as amended, and applicable appropriations acts, all lawful requirements of the rules and regulations, policies, guidelines, instructions, and other directives of LSC. Any amendments or other applicable laws adopted during the period of this grant shall also apply. The LSC Act, as amended, can be found at 42 U.S.C. §2996; the implementing regulations can be found at 45 C.F.R. Part 1600, et seq. Several regulations have been revised or promulgated since the last publication of the Code of Federal Regulations. See LSC regulations at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). The LSC regulation on competitive bidding for grants and contracts can be found at 45 C.F.R. Part 1634.

Public Law 108-7, the FY 2003 LSC Appropriations Act, is found at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). It identifies the restrictions on recipients of LSC funds and incorporates the restrictions from the LSC appropriation acts from FY-1996 through FY-2002. The LSC appropriations acts from 1996 to present are at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). ***A review of the LSC Appropriations Acts should not be substituted for a full review of the applicable law, regulations and guidelines.***

All of the requirements noted above are included by reference in the LSC Grant Assurances (Form C) for FY 2004. Applicants will certify that they will comply with the LSC Grant Assurance by signing and returning Form I (the LSC Certification Form) to LSC. Applicants should retain a copy of the Grant Assurances in their files, but should not return the Grant Assurances to LSC. Successful applicants may be required to sign additional conditions.

LSC intends to fund only those applicants capable of delivering high quality legal services. Therefore, all applicants will be evaluated according to the LSC Act and regulations, the LSC Performance Criteria, the American Bar Association (ABA) Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means, and the ABA Standards for Providers of Civil Legal Services to the Poor, except where the provisions of the Criteria and ABA Civil Standards conflict with applicable law or other funding restrictions. The LSC Performance Criteria

and the ABA Standards are found at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices).

LSC continues to support and encourage state planning efforts to promote comprehensive, integrated, statewide delivery systems. LSC issued Program Letters 02-3 (and attachments), 02-2, 2000-7, 98-6, and 98-1, requiring all LSC recipients to engage in a statewide planning process. LSC Program Letters are at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). The LSC Strategic Directions are at [www.lsc.gov](http://www.lsc.gov).

In addition, LSC continues to encourage formal arrangements, such as voluntary mergers and considers them consistent with the competitive process. Please note, however, that certain actions by applicants such as, specific agreement among potential competitors, including current recipients, not to compete for a particular service area or to assign who will compete for particular service areas, may have implications under federal and state antitrust laws. Applicants interested in pursuing voluntary mergers should consult antitrust counsel before taking actions or entering into agreement(s) that could be viewed as restraining competition.

**GENERAL LSC REPORTING REQUIREMENTS.** All recipients of LSC funds will be subject to compliance monitoring for the period of the grant award. This will include, but will not be limited to, audits conducted according to the LSC Audit Guide. LSC may require submission of periodic reports of program activity and financial status during the grant period. Additionally, the LSC Act authorizes LSC to require reports and other information from recipients to ensure compliance with LSC regulations and other requirements. LSC reporting requirements are at [www.rin.lsc.gov](http://www.rin.lsc.gov), under “Bulletin Board.”

**NONDISCRIMINATION.** No person or entity shall be discriminated against in the awarding of these grants on the basis of race, gender, age, color, national origin, religion, disability, sexual orientation or any other basis prohibited by law. LSC policy requires the adoption of employment policies and procedures that meet the requirements of applicable laws prohibiting employment discrimination, and requires recipients to take affirmative action to ensure equal employment opportunity. LSC expects to fund those applicants whose employment policies and practices indicate an organizational value of diversity in employment.

**FREEDOM OF INFORMATION ACT.** The Freedom of Information Act and the associated LSC regulation may require the release of certain grant applications or documents to the public. In general, during the competition process, LSC will not release any competitive grant documents that would cause competitive harm to an applicant.

For specific guidance on the availability of information submitted by any applicant, both before and after grants are awarded, refer to LSC’s Freedom of Information Act regulation, 45 C.F.R. Part 1602, 62 Fed. Reg. 45754 (August 29, 1997), and the Preamble to the Competitive Bidding for Grants and Contracts regulation, 45 C.F.R. Part 1634, 61 Fed. Reg. 14255 (April 1, 1996).

## V. APPLICATION PROCESS AND INSTRUCTIONS

**SUBMISSION PROCEDURES.** Applicants must submit one signed, unbound original and one copy of Form I, and other documents that are required in printed form. Applicants will certify that they will comply with the LSC Grant Assurance by signing Form I (the LSC Certification Form). Applicants should retain a copy of the LSC Grant Assurances in their files, but should not return the Grant Assurances (Form-C) to LSC. Do not submit paper copies of any other documents. Video and audio presentations will not be accepted. The printed portion of the grant application must be mailed or hand-delivered to LSC at the following address: **Legal Services Corporation, 3333 K Street, N.W., Washington, D.C. 20007, Attention: Grants Competition.** Applicants are strongly encouraged to send the printed portion of the grant application by overnight or certified mail and to retain a receipt.

**NOTICE OF INTENT TO COMPETE.** All applicants are reminded that in order to submit a proposal, they must first submit a Notice of Intent to Compete using the LSC Applicant Information Network. The Notice of Intent to Compete Form (Form H) is at [www.ain.lsc.gov](http://www.ain.lsc.gov).

**NONCONFORMING SUBMISSIONS.** Applications determined to be substantially incomplete or nonconforming upon first submission will be rejected. For applications determined to be substantially complete, but in need of minor amendment, LSC will notify the applicant of the need for amendment. Applicants will be given seven calendar days from their receipt of the notice within which to revise and deliver a conforming and complete application to LSC. Applicants who fail to complete and/or revise the application within the designated time period will be disqualified.

**NEW APPLICANTS.** Applicants, who have not received a LSC grant in prior years, must respond to each section of the grant application narrative, unless otherwise indicated. If the applicant does not yet have a particular system, strategy, procedure, policy, task, or activity in place at the time the grant application is submitted to LSC, the narrative must describe the applicant's plans for adopting a particular system, strategy, procedure, or policy or accomplishing a task or activity.

**NOTICE OF INTENT TO WITHDRAW APPLICATION.** Applicants who wish to withdraw their application submission must notify LSC in writing as soon as possible. Include the applicant name and service area code(s) of the service area(s) for which the application is being withdrawn. The withdrawal notification must be signed by the applicant and dated. No notice is required if a potential applicant has submitted a Notice of Intent to Compete but does not submit a completed application.

**INSTRUCTIONS ON FORMAT.** Applicants applying for multiple types of service areas (i.e., basic field-general, basic field-migrant, and/or basic field-Native American) must submit a proposal narrative that addresses the primary service area (i.e., the service area receiving the larger LSC

grant) and a separate narrative supplement for each of the other service area types (see page 21 through 23 for details). The application narrative and narrative supplements must:

1. include headers containing the following information: “Proposal Narrative,” or (“Narrative Supplement” if applicable,) the applicant’s name, the six digit applicant number; and the service area code for each service area the applicant is applying for;
2. be double-spaced (single spaced submittals that exceed 23 pages will be returned);
3. use a standard font type not less than 12 points;
4. be numbered and outlined pursuant to Attachment – 1;
5. not exceed specified page limits; and
6. have one-inch top, bottom, left, and right margins.

**ACKNOWLEDGMENT OF RECEIPT.** LSC will send applicants an e-mail acknowledgment of proposal receipt immediately after the proposal has been reviewed for completeness.

**APPLICANT INFORMATION SESSION.** LSC will conduct a telephonic information session May 22, 2003 (2:00 p.m. ET) to respond to applicants’ questions concerning this RFP. The session is designed to provide an understanding of the information needed to prepare the FY 2004 grant proposal, and to promote participation in the competition process. Registration materials for this telephonic conference are found at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). Applicants will have an opportunity prior to and during the session to fax questions to LSC for response. Applicants are encouraged to participate in the telephonic conference. Additionally, LSC publishes frequently asked questions and responses at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices).

## **VI. APPLICATION REVIEW AND SELECTION PROCESS**

**APPLICATION REVIEW.** All proposals are reviewed pursuant to the procedures required by 45 C.F.R. Part 1634.

For service areas where there is a single applicant, LSC staff completes the proposal review and prepares a funding recommendation. In addition to its own review, LSC reserves the right to have the proposal reviewed by an outside reviewer.

For service areas with more than one applicant, LSC will convene a review panel of outside evaluators. The review panel will review the applications and any summaries prepared by LSC, and will make recommendations to LSC regarding awards for the service areas. In addition to the

outside review panel process, LSC will evaluate the applications through an internal staff review process. Both the review panel recommendation and the staff recommendation will be considered by LSC in making its final funding decisions.

For both single and multiple applicant service areas, LSC may undertake site visits with some or all applicants before making final grant decisions.

**SELECTION CRITERIA.** The primary criterion for LSC's consideration of all applications is the use of limited LSC resources to produce high quality, effective and economical legal assistance that seeks to meet the basic legal needs of eligible clients. For guidance regarding this primary criterion, applicants are directed to the LSC Act and regulations, the Legal Services Corporation Performance Criteria, the ABA Standards for Providers of Civil Legal Services to the Poor, and the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means. Applicants will be evaluated according to the LSC Act and regulations, LSC Performance Criteria and the ABA Standards, except where those provisions are in conflict with applicable law or other funding restrictions. The LSC appropriations acts, the LSC regulations, the LSC Performance Criteria, and the ABA Standards are at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices).

LSC will evaluate each application according to nine specific selection criteria, which are contained in the LSC regulation on competitive bidding for grants and contracts, 45 C.F.R. §1634.9. As outlined in Section IX, Guidelines for Proposal Narrative, each applicant must demonstrate its ability to meet the selection criteria, which are listed below.

1. Whether applicant has a full understanding of the basic legal needs of the eligible clients in the area to be served. 45 C.F.R. §1634.9(a)(1).
2. The quality, feasibility, and cost-effectiveness of the applicant's legal services delivery and delivery approach in relation to LSC's Performance Criteria and the American Bar Association's Standards for Providers of Civil Legal Services to the Poor, as evidenced by, among other things, the applicant's experience with the delivery of the type of legal assistance contemplated under the proposal. 45 C.F.R. §1634.9(a)(2).
3. Whether the applicant's governing or policy body meets or will meet all applicable requirements of the LSC Act, regulations, guidelines, instructions and any other requirements of law in accordance with a time schedule set out by LSC. 45 C.F.R. §1634.9(a)(3).
4. The applicant's capacity to comply with all other applicable provisions of the LSC Act, rules, regulations, guidelines and instructions, as well as with ethical requirements and any other requirements imposed by law. Evidence of the applicant's capacity to comply with this criterion may include, among other things, the applicant's compliance experience with LSC or other funding sources or regulatory agencies, including, but not limited to, Federal or

- State agencies, bar associations or foundations, courts, IOLTA programs, and private foundations. 45 C.F.R. §1634.9(a)(4).
5. The reputations of the applicant's principals and key staff. 45 C.F.R. §1634.9(a)(5).
  6. The applicant's knowledge of the various components of the legal services delivery system in the State and its willingness to coordinate with the various components as appropriate to assure the availability of a full range of legal assistance, including: (a) its capacity to cooperate with State and local bar associations, private attorneys and pro bono programs to increase the involvement of private attorneys in the delivery of legal assistance and the availability of pro bono legal services to eligible clients; and (b) its knowledge of and willingness to cooperate with other legal services providers, community groups, public interest organizations and human services providers in the service area. 45 C.F.R. §1634.9(a)(6).
  7. The applicant's capacity to develop and increase non-LSC resources. 45 C.F.R. §1634.9(a)(7).
  8. The applicant's capacity to ensure continuity in client services and representation of eligible clients with pending matters. 45 C.F.R. §1634.9(a)(8).
  9. The applicant does not have known or potential conflicts of interest, institutional or otherwise, with the client community and demonstrates a capacity to protect against such conflicts. 45 C.F.R. §1634.9(a)(9).

## VII. AWARD NOTIFICATION AND GRANT NEGOTIATION

**GRANT NEGOTIATIONS.** LSC may, in its discretion, conduct discussions and/or site visits with some or all applicants before making final grant decisions. Applicants may be subject to additional grant conditions as part of the final grant award.

**TRANSITION ISSUES.** LSC seeks to implement this competitive grant process with the least amount of disruption to current clients and the client community at large. Specific transition plans will be negotiated with each successful applicant as part of the grant negotiation process to help accomplish an orderly transition. At the point that a decision has been made to fund an applicant, LSC will contact that applicant to assist in preparation of a specific transition plan.

**FINAL AWARD DECISIONS.** Final award decisions are made by the President of LSC. In making the final awards, LSC may award a grant or contract to an applicant for a period of up to three years. LSC reserves the right to choose other alternatives to ensure the provision of legal assistance to the service area.

## VIII. APPLICATION COMPONENTS

A completed application consists of the documents listed below in Chart A and B. Submit the documents listed in Chart (A) to LSC in hard copy. Complete and attach the cover sheet with the hard copy documents sent to LSC. The cover sheet is Attachment 2 of this narrative instruction.

Submit the documents listed in Chart (B) using the LSC Applicant Information Network at [www.ain.lsc.gov](http://www.ain.lsc.gov).

**Chart (A)**

<b>Form / Document Name</b>	<b>Transmission Format</b>
Form I – Certification	<b>Hard Copy Only</b>
<b>Supplemental Documentation:</b>	
1. Subgrant certification (applies only to applicants proposing subgrants as described on page 37 of this instruction) <u>See page 8 before preparing subgrant information.</u>	<b>Hard Copy Only</b>
2. Performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators within the past three years, if any	<b>Hard Copy Only</b>
3. Independent financial statement audits for the last three years and the appropriate management letters, if available. (Applies only to applicants that <u>are not</u> LSC Recipients)	<b>Hard Copy Only</b>



**Chart (B)**

<b>Form / Document Name</b>	<b>Transmission Format</b>
Form L Proposal Narrative (and Narrative Supplement)  <b>Requisite attachments</b> to be included with/below the proposal narrative: Resumes, List of References, List of Disciplinary Complaints, List of Malpractice Lawsuits, Governing/Policy Body Plan ( <b>see page 20</b> ), and Subgrant information (see page 37) <u>See page 8 before preparing any subgrant information.</u>	<b>Electronic Format Only</b>
Form A -- Grant Application Form	<b>Electronic Format Only</b>
Form B – Application Checklist	<b>Electronic Format Only</b>
Form D – Budget Forms	<b>Electronic Format Only</b>
Form F – Governing/Policy Body Form	<b>Electronic Format Only</b>
Form G-12 – Projected Expenditures by Type of Activity	<b>Electronic Format Only</b>
Form H – Notice of Intent to Compete	<b>Electronic Format Only</b>
Form K – Technology Form	<b>Electronic Format Only</b>

The components of the application are described below. Applicants must not exceed the page limits established for specific portions of the application. Supplemental documentation should be limited to items specifically requested in the application. No other supporting materials will be accepted unless requested by LSC.

- 1. Proposal Narrative.** Applicants applying for more than one service area type must submit a proposal narrative that addresses the primary service area (i.e., the service area receiving the larger LSC grant) and a separate narrative supplement for each additional service area type. The proposal narrative provides a comprehensive framework and description of all aspects of the proposed legal services delivery approach. Write the proposal narrative so that it clearly describes the proposed legal services delivery approach in a manner that is self-explanatory to reviewers unfamiliar with prior relevant activities of the applicant. Use the proposal narrative outline included with this RFP (Attachment 1) to prepare the proposal narrative and the narrative supplement(s). The proposal narrative must be concise, well organized, and contain all the information necessary for reviewers to understand the proposed program. Spell out all acronyms and explain terminologies and concepts used. LSC has prepared a general guidance memorandum to assist applicants in responding to the Request for Proposals. The guidance memorandum is at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices). The specific guidelines and criteria that must be addressed in the proposal

narrative are detailed in Section IX. Applicants seeking funding for a service area with a poverty population of one million or more persons are allowed up to an additional ten double-spaced pages for the program narrative.

The LSC Resource Initiative (LRI) includes an online library that encourages the sharing of promising or innovative legal services management and delivery approaches and tools. The web site ([www.lri.lsc.gov](http://www.lri.lsc.gov)) provides articles, publications, information and links to other web sites from LSC-funded and non-LSC civil legal services providers and other law-related organizations and institutions.

**LSC is providing applicants an opportunity to showcase novel or particularly effective delivery strategies.** Applicants, at their option, may have two pages per service area to describe innovative techniques or ideas that promote quality legal services to low-income people. **Applicants may also use this opportunity to suggest a delivery topic or issue for LRI research and development.** Provide the descriptions and the topics for research and development at the end of the proposal narrative. Title these pages “**LRI.**” Applicants may address any topic that promotes legal services delivery. Contact Monica Holman or Matthew Bryant if you have questions about this opportunity or for general information about LRI at: [lri@lsc.gov](mailto:lri@lsc.gov). Applicants are encouraged to visit [www.lri.lsc.gov](http://www.lri.lsc.gov) regularly to review model concepts and “best” practices in legal services delivery.

A weight will not be assigned to this section of the RFP, nor will it impact grant award decisions. With the applicant’s permission, LSC may feature selected innovative techniques or ideas on LRI. An applicant’s response to this section of the RFP will not count against the applicant’s page limit for the proposal narrative.

All applicants must submit the proposal narrative (and narrative supplements) using the LSC Internet Applicant Information Network. The instructions are at [www.ain.lsc.gov](http://www.ain.lsc.gov). Do not submit the proposal narrative (or narrative supplements) in hard copy.

2. **Subgrant information:** Refer to page 37 of this narrative instruction for details on preparing subgrant information. Applicants should provide this information in electronic form only. Include this information with/below the application narrative. This information does not count against the proposal narrative page limit. See page 8 before preparing subgrant information.
3. **Grant Application Form (Form A).** All applicants must complete and submit Form A using the LSC Internet Applicant Information Network. The form and instructions are at [www.ain.lsc.gov](http://www.ain.lsc.gov). The applicant’s contact person, who is identified on Form A, will serve as the applicant’s liaison to LSC, and should be the Executive Director or functional equivalent. Applicants must identify service area(s) they are applying for on Form A. The listing of service areas being competed for calendar year 2004 grants is at [www.ain.lsc.gov](http://www.ain.lsc.gov) (once at the site, click on Bulletin Board, then RFP Appendices).

**Note:** LSC does not require a formal approval of the application by the governing/policy body prior to submission of the proposal. All applicants that currently have a board must certify on Form I that a copy of their proposal was made available to each governing/policy body member.

4. **Grant Application Checklist (Form B).** This form is used as a final check and tracking system to assure applicants have completed all of the required components of the application. This form is automatically completed as other forms and documents are prepared using LSC's Internet application. Review the completed document to assure all information is properly captured. The Checklist is submitted using the LSC Internet Applicant Information Network. The form and instructions are at **[www.ain.lsc.gov](http://www.ain.lsc.gov)**.
5. **Grant Assurances Form (Form C).** Applicants are required to certify, as a condition for approval of their grants, that they will comply with the requirements listed on the Grant Assurances Form. Applicants will certify that they will comply with the LSC Grant Assurances using the LSC Certification Form (Form-I). Applicants should retain a copy of the LSC Grant Assurances in their grant files, but should not return the Grant Assurances to LSC.
6. **Budget Forms (Form D).** These forms collect projected expense and revenue data. The forms and instructions are provided at **[www.ain.lsc.gov](http://www.ain.lsc.gov)**.
7. **Governing/Policy Body Form (Form F).** This form collects information about the applicant's governing/policy body. The governing/policy body form and instructions are at **[www.ain.lsc.gov](http://www.ain.lsc.gov)**. Note: Applicants applying for a service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan that assures a majority of the entire Board be attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s), and assures the Board reasonably reflects the diversity of the population of the area(s) served.. See Part - 2 – A (Other Required Documents – Governing/Policy Body) of this document and Form F Instructions for details.
8. **Projected Expenditures by Type of Activity (Form G-12).** This form collects projected expenditures for cases, matters, and supporting activities. The form and instructions are at **[www.ain.lsc.gov](http://www.ain.lsc.gov)**.
9. **Notice of Intent to Compete (Form H).** Applicants must submit this form to participate in the competition process. This form collects names and resumes of the principals, key staff, and governing/policy body members. The form and instructions are at **[www.ain.lsc.gov](http://www.ain.lsc.gov)**.
10. **Applicant Certification (Form I).** This is a required signature document in which applicants certify that they will comply with the LSC Grant Assurances (Form-C), and that they have certain documents on file and will make them available to LSC upon request.

**11. Technology Form (Form K).** This form collects information about current and planned office technology. The forms and instructions are provided at **[www.ain.lsc.gov](http://www.ain.lsc.gov)**.

**12. Requisite Attachments.**

**Applicants must submit:**

- (a) Resumes of the Executive Director (CEO or functional equivalent), Governing/Policy Body Chair, Chief Financial Officer, Litigation Director, or other most senior attorney(s), if known. For lawyers and law firms, provide the resumes of no more than ten of the partners, senior associates, and administrative managers who will be most involved in management or service delivery if a grant is awarded.
- (b) List of up to five professional references for the applicant's organization or, in the case of a new organization, applicant's principals. Provide e-mail addresses, fax numbers, mailing addresses, and telephone numbers. Do not submit letters of reference.
- (c) List of professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past three years. If the applicant has not had any, please state "There have been no disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past three years."

**Attach items (a) through (c) below the proposal narrative. Transmit this information electronically.** This information will not count as part of the application narrative pages. Include the appropriate heading for each listing.

- (d) One printed copy of all performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators within the past three years, if any.

**Applicants that are not current LSC recipients must also submit:**

- (e) One printed copy of independent financial statement audits for the last three years and the appropriate management letters, if available.

**Applicants may be required to submit additional materials prior to the final award of grant funds.**

## **IX. GUIDELINES FOR PROPOSAL NARRATIVE**

**GENERAL GUIDELINES.** The primary criterion for LSC's consideration of all applications is the use of limited LSC resources to produce high quality, effective and economical legal assistance that seeks to meet the basic legal needs of eligible clients within a comprehensive, integrated statewide delivery system.

LSC will evaluate each application according to nine specific selection criteria, which are contained in the LSC regulation on competitive bidding for grants and contracts, 45 C.F.R. §1634.9, and listed on pages 14-15 of the RFP. The proposal narrative incorporates these criteria, and together with the required forms, supplemental documentation, and other information available to LSC, will provide the basis for LSC's award decisions.

Applicant's narrative descriptions must be concise and responsive to the information requested. Use the Proposal Narrative Outline (Attachment 1) to prepare the proposal narrative. Failure to use this outline may result in disqualification from the FY 2004 competitive process. Applicants must submit all required forms and required supplemental documentation. The proposal narrative must not exceed 45 double-spaced pages (unless more than one service area is applied for, or the poverty population for a single service area equals or exceeds one million persons).

**WEIGHTING OF THE NARRATIVE.** To assist applicants in their decisions concerning emphasis of the narrative, the particular weight that will be given to sections of Part 1 of the narrative has been indicated.

**APPLICATIONS FOR MULTIPLE SERVICE AREAS.** Applicants may seek funding for more than one service area. Applicants must indicate all services areas applied for at the top of the proposal narrative. It is possible that LSC will not grant an award for every service area sought.

### **Application Narrative Requirements:**

- a. Applications exclusively for basic field-general service areas must respond to all applicable topics in the RFP. The page limit for these grant applications is 45 double-spaced pages.
- b. Applications exclusively for basic field-migrant service areas must respond to all applicable topics in the RFP. The page limit for these grant applications is 45 double-spaced pages.
- c. Applications exclusively for basic field-Native American service areas must respond to all applicable topics in the RFP. The page limit for these grant applications is 45 double-spaced pages.
- d. Applications for basic field-general and basic field-migrant service areas will comprise:

1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
2. a 15 double-spaced page separate narrative supplement for the service area receiving the smaller LSC grant.

The narrative and the separate narrative supplement will respond to all applicable topics in the RFP, and each will be formatted according to the Proposal Narrative Outline included with this RFP as Attachment - I.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. However, for each RFP topic that applicant activities are the same for basic field-migrant service delivery as they are for basic field-general service delivery, the applicant should state in the narrative supplement that: 'Applicant services and activities are the same for basic field-general and basic field-migrant service delivery.'

- e. Applications for basic field-general and basic field-Native American service areas will comprise:

1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
2. a 15 double-spaced page separate narrative supplement for the service area receiving the smaller LSC grant.

The narrative and the separate narrative supplement will respond to all applicable topics in the RFP, and each will be formatted according to the Proposal Narrative Outline included with this RFP as Attachment - I.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. However, for each RFP topic that applicant activities are the same for basic field-Native American service delivery as they are for basic field-general service delivery, the applicant should state in the narrative supplement that: 'Applicant services and activities are the same for basic field-general and basic field-Native American service delivery.'

- f. Applications for basic field-Native American, basic field-migrant, and basic field-general service areas will comprise:

1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and

2. a 15 double-spaced page separate narrative supplement for each of the remaining service areas receiving the smaller LSC grants.

The narrative and the separate narrative supplement will respond to all applicable topics in the RFP, and each will be formatted according to the Proposal Narrative Outline included with this RFP as Attachment - I.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. However, for each RFP topic that applicant activities are the same for basic field-Native American service delivery, basic field-general, or for basic field-migrant service delivery, the applicant should state in the narrative supplement that: 'Applicant services and activities are the same for basic field-general, and basic field-Native American, or basic field-migrant service delivery.'

- g. Applications for basic field-Native American and basic field-migrant service areas will comprise:
  1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
  2. a 15 double-spaced page separate narrative supplement for the service area receiving the smaller LSC grant.

The narrative and the separate narrative supplement will respond to all applicable topics in the RFP, and each will be formatted according to the Proposal Narrative Outline included with this RFP as Attachment - I.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. However, for each RFP topic that applicant activities are the same for the primary service delivery component as they are for the secondary service delivery component, the applicant should state in the narrative supplement that: 'Applicant services and activities are the same for the Native American and the migrant service delivery components.'

---

---

## PART 1 -- PROPOSED DELIVERY SYSTEM

---

---

In this section of the narrative, the applicant should describe its proposed legal services delivery approach in relation to the LSC Act and regulations, the LSC Performance Criteria, the ABA Standards for Providers of Civil Legal Services to the Poor, and the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means. Applicants will be evaluated according to LSC regulations, the LSC Performance Criteria and the ABA Civil Standards, except where the Standards conflict with current law or other funding restrictions. Particular attention should be given to the quality, feasibility, and cost-effectiveness of the selected approach. Applicants will be evaluated regarding their active participation in an integrated delivery system, which seeks to make the most efficient use of all resources, strives for innovations in delivery mechanisms, and creatively involves the private bar. Where the answer to an inquiry involves work that is being done collaboratively within the state justice community, please discuss that. For example, discuss the collaborative resource development efforts in the answer on resource development.

### A. IDENTIFYING AND ESTABLISHING THE MOST CRITICAL LEGAL NEEDS

**Weight: 20 %**

*Legal services delivery approaches should be guided by a comprehensive planning and priority setting process that includes input from program staff and board members, the private bar, and others knowledgeable about clients' needs, as well as broad-based participation by client-eligible persons. That process should lead to program priorities that reflect the most critical legal needs of the client community. Program resources must be targeted consistently with those priorities and related goals and objectives.*

***Note to applicants applying for both Basic Field-General and Basic Field-Native American and/or Basic Field-Migrant service areas:*** The responses to Needs Assessment (A-1); Critical Legal Needs (A-2), Priority Setting (A-3), and Other Legal Resources (A-4) are likely to vary between types of service areas. Applicants must specifically describe the critical legal needs, the priority setting process and resulting priorities, and other legal resources for Native American and/or migrant service areas.

1. Describe the process used (or to be used) to identify the most critical legal needs of eligible clients in the service area.
  - a. Identify when the appraisal of client needs was (or will be) conducted.
  - b. Describe the protocols and instruments used (or that will be used) in collecting information about client needs. For example, identify the demographic and related data



analyzed. If focus groups and/or interviews were conducted, list the categories and numbers of persons involved. If a written survey was used, list the categories and numbers of persons who submitted completed surveys and provide a sample of no more than five of the questions asked. Include a brief summary of the results.

***Definitions:***

***Protocols and instruments***

include analysis of service area demographic data, personal interviews, group meetings, and written surveys.

***Categories and numbers of persons***

means the numbers of current clients, client eligible persons, program staff, governing body members, the private bar members, judges, members of community groups, staff of public agencies, etc.

- c. Describe how the members of the client population participating (or who will participate) in the process were (or will be) identified. List the client eligible organizations that were (or will be) participating and the nature of their participation.
  - d. Describe steps undertaken (or planned) to obtain the views of clients with special access challenges, including persons who are Limited English Proficient (LEP), rural residents, those with limited literacy, etc.
  - e. Describe the analytical process(es) used to determine the most critical legal needs facing clients in the service area(s).
2. Among the results identified through your needs assessment process, which are determined to be most critical? Why? Most critical legal needs are those needs identified in applicant's needs assessment. They are different from "priorities" which are the applicant's response to the "most" critical needs that it has identified.
  3. What priorities have been (will be) adopted because of the identified critical legal needs? For each priority, list: a) cases, b) matters, c) goals, and d) objectives/measurable outcomes.

This response should be no longer than five pages. An example of a narrative response for one priority is shown below. **Applicants are required to use the format provided in the following chart on "Housing" in responding to this inquiry.**

***Definitions:***

***Priorities*** can be either general statements of the work to be undertaken on behalf of clients (e.g., protecting the family, preserving the home) or substantive law subject matter areas (e.g., domestic relations, consumer law).

***Cases*** include representation in negotiation, in litigation or in administrative proceedings, as well as advice and brief service and other services for individual clients. For example, a case type for the priority “preserving the home” might be “eviction cases.”

***Matters*** include direct services such as community education events, providing information about the availability of legal assistance, developing informational materials explaining legal rights and responsibilities, pro se clinic work, and continuing legal education. Matters may also include indirect services such as working with government and community service organizations to increase and improve services to clients. A type of matter concerning “preserving the home” might be the production of a pamphlet on eviction procedures or on Chapter 13 bankruptcies.

***Goals*** are the results that the applicant intends to achieve in representing its clients. For example, the goal of some consumer protection cases may be stated as: to enable low-income persons to protect their income and assets.

***Objectives/Measurable***

***Outcomes*** include the effects of legal assistance provided to clients and other matters undertaken by applicants, and the measures by which the applicant’s success in achieving those objectives will be assessed. Depending on the applicant’s goals and objectives, measurable outcomes might be stated in terms of the numbers of persons assisted, funds obtained for clients, patterns and practices altered, evictions averted, housing conditions improved, domestic violence abated, benefits obtained or retained, and low-income individuals educated regarding their legal rights.

**The following sample response for one priority provides a statement of cases, matters, goals, and objectives/measurable outcomes. Applicants are required to follow the format below in responding to this inquiry.**

**Priorities****“Housing” or “Maintaining the stock of decent, affordable housing”****A. Cases**

1. Eviction cases (other than non-payment of rent)
2. Conditions cases that affect the habitability of the premises
3. Other meritorious housing cases to the extent resources allow

**B. Matters**

1. Produce and distribute pamphlets on landlord/tenant law, public housing tenants rights and security deposit law (this material is available from a statewide web site)
2. Do community education session on landlord/tenant rights
3. Work with Sheriffs’ departments on handling of “self-help evictions”
4. Work with local FmHA office to improve enforcement of tenant rights in FmHA rental property

**C. Goals**

1. Maintain the stock of rental housing for low-income persons
2. Improve the condition of rental housing for low-income persons
3. Ensure that the laws protecting tenancies for low-income persons are exercised and enforced

**D. Objectives/Measurable Outcomes**

1. 50 private tenant and 10 public housing tenant families are successful in retaining their residences through cases undertaken
2. The conditions of 25 rental apartments/houses are improved by cases handled
3. The Sheriffs’ departments enforce the state law prohibiting self-help evictions by landlords
4. The FmHA office ensures that landlords follow the proper administrative steps before going to court in eviction proceedings
5. The brochures listed above are produced and distributed effectively to reach the client-eligible population in this service area (the existence of the web site and the ways to access the web site are generally known in the client community)
6. The landlord/tenant law community education session is given in each of the service area’s counties and with sufficient publicity that interested members of the client-eligible population would have the opportunity to learn of it and attend

4. Describe the analytical process(es) used to determine the priorities to address identified critical legal needs.
5. Identify when the priorities were (or will be) periodically reviewed and of what the periodic review consists.
6. What other legal resources are available to eligible clients in the community? Describe how the program priorities and strategies reflect consideration of those resources. (Examples of these resources include: law school clinics; projects addressing senior, consumer, or domestic violence issues; projects of the organized bar; and public entities such as wage and hour or consumer commissions.)

<b>Relevant Regulation:</b>	45 C.F.R. Part 1620
<b>Relevant LSC Performance Criteria:</b>	1.1 - 1.3, 1.5, 2.2, 3.3
<b>Relevant ABA Standards:</b>	6.1, 6.4

## **B. COMPONENTS OF THE DELIVERY APPROACH**

**Weight: 20 %**

*A delivery structure should maximize the use of limited resources for legal services delivery and should include an intake system that provides broad and timely access to services for eligible clients.*

***Note to applicants applying for both Basic Field-General and Basic Field-Native American and/or Basic Field-Migrant service areas:*** To the extent that the Office and Staffing Structure (B-1) and Intake Systems (B-2) differs between service areas, be sure to discuss these differences in your answers.

1. Explain the office and staffing structure and diversity, including how the organization's offices and staff address cultural and ethnic sensibilities of specific groups in the service area, if relevant. Please address the following topics in your response:
  - a. the rationale for office locations, including their geographic relationship to diverse client communities in the service area;
  - b. how the applicant will address access barriers clients may have to receiving services such as cognitive, mobility, geographic, and language barriers (including limited English proficiency);
  - c. how the staffing enables the applicant to meet the most critical legal needs of

- clients, including staff levels of experience and areas of expertise, as they relate to the most critical legal needs;
- d. efforts to develop a board that reflects the community's diverse elements; discuss board training activities that strengthen members' understanding of the service area's communities of color, new residents and other groups that might be overlooked. List board training efforts to strengthen board leadership, particularly in the area of diversity; and
  - e. the strategies used to recruit, retain and promote high quality diverse staff. Discuss the program's recruitment efforts directed at attracting diverse candidates. Discuss retention efforts. Discuss any training efforts designed to address diversity at board and staff levels, including activities sponsored by the organization that help staff acquire or improve foreign language skills. List the program's efforts to address future leadership of the organization, such as formal mentoring systems and other initiatives. Include efforts that ensure top levels include women and minorities, and other activities to ensure that board and staff leadership is multi-cultural and responsive to the needs of diverse groups.
2. Describe the operation of the intake system. In your description, discuss how the intake system enhances the efficient delivery of legal services from the first point of client contact. If intake procedures differ by location or for type of case, note the differences in your discussion. Address the following:
- a. **Access.** The ways in which a potential client may initiate the intake process; whether calls are local or toll free; the specific days and hours when the intake line is open; how soon after the initial contact will the caller speak with a legal worker; and, in the case of callbacks, how long the caller must wait for a return call.
  - b. **Staffing.** The staffing of the intake system, including: the level of experience of the staff, and the use by intake staff of any written resource material (substantive or administrative). The applicant's management and oversight procedures for assuring high quality services to clients receiving counsel and advice, brief service, and referrals including: staff training, assessment of client satisfaction of the intake system, assessment of measurable outcomes, the review of intake decisions made about advice only or brief service cases and a review of the assistance provided.
  - c. **Decisions on Assistance.** The process by which a decision is made as to what assistance will be provided. Explain:

1. The case acceptance criteria for brief service cases, indicating the areas of law (e.g., housing, family, consumer, etc) and specific legal issues or types of cases (e.g., contested divorce, bankruptcy, etc) accepted for service.
  2. How the applicant will provide counsel and advice, brief service and referral assistance for persons who will not be afforded representation that is more extensive.
  3. How promptly assistance is provided:
    - i. from the time the client first contacts the office to the rendering of counsel and advice or brief service, and
    - ii. if applicable, from the time the client receives counsel and advice or brief service to the time the client is first contacted by a case handler for more extensive representation.
  4. The client informational materials that are provided, what they consist of, and when they are used. The written correspondence regularly provided the client.
- d. **Technology.** The use of computers, telephone systems (including voice mail), other communication systems, equipment, and technology in the intake process.

<b>Relevant Forms for Section B:</b>	Form D -- Budget Forms
<b>Supplemental Documentation:</b>	Performance Evaluations and Monitoring Reports
<b>Relevant Regulations:</b>	45 C.F.R. §§ 1611.7, 1611.8, 1616.3, 1616.4, 1616.5, 1616.7, 1620.4, 1624.5
<b>Relevant LSC Performance Criteria:</b>	1.5, 2.1, 3.1(a), 3.1(b), 3.2
<b>Relevant ABA Standards:</b>	1.1, 1.2, 1.6, 1.7, 2.1, 2.2, 3.1, 3.5, 3.7, 4.1 6.2

**C. MANAGEMENT AND LEGAL WORK RESOURCES****Weight: 30%**

***Strong management, with high quality administrative systems and comprehensive legal work management systems and procedures, are essential to the capacity to deliver quality legal services.***

***Note to applicants applying for both Basic Field-General and Basic Field-Native American and/or Basic Field-Migrant service areas: Be sure to describe in the narrative supplement any differences in procedures between the service areas relating to each of the topics below. Be sure to specifically address topics 4 and 5 for the Native American and migrant service areas.***

***Definition:***

***Strategic planning:*** Strategic planning is a management tool. It addresses both the critical legal needs of the client community and the operational goals of the program. The purpose of strategic planning is to increase your capacity to respond to changes in community concerns, client needs, and available resources. Strategic planning has five fundamental steps: 1) analyze the issues and opportunities facing the program, 2) communicate the program's long and short-term goals with staff, the board, and community leaders and partners, 3) develop an operating plan and budget to meet the program's goals, 4) establish a timeline and allocate resources to reach the program's goals, and 5) evaluate progress and adjust plans when necessary to achieve the program's goals.

1. Using the strategic planning framework described above, discuss the applicant's strategic planning that has occurred within the last year. In your response state the significant issues and opportunities that the program considered in the strategic planning process, including:  
**a)** the program's goals set in the strategic plan, **b)** the nature and extent of participation by the board, staff, and others in the planning and implementation of the strategic plan, and **c)** the results of this strategic planning effort and any specific follow-up activity that has occurred, or is planned. If formal strategic planning will occur in the future, please provide a proposed timeline, explain its scope, and purpose(s).
2. Describe the applicant's management policies and procedures, and how these efforts augment program operations. Address the following factors in your description:
  - a. How the budget planning process is integrated with program goals and priorities. The Executive Director and the governing/policy body involvement in the program's budget planning and oversight.
  - b. How the applicant promotes and assures regular communication among staff and among offices. The discussion should identify the frequency of staff meetings and office visits conducted by the program director, office practices that encourage open

- communications between staff and management, and the use of technology to facilitate communications.
- c. The frequency of staff and Executive Director evaluations, a description of what the evaluation entails, staff involvement in the evaluation process, and how the evaluations are used to improve performance and promote professional development.
  - d. The systems used by the applicant to evaluate program performance, the quality of legal services to clients, and the use of program resources.
3. Describe the applicant's plan and systems for legal work management and supervision. This description should include the following:
- a. How cases are assigned and supervised to assure that casehandlers' caseloads are appropriate to their experience and expertise.
  - b. Periodic case review meetings and the mechanisms to assure that there is sufficient case planning for all extended service work undertaken by casehandlers through methods such as advocate staff case meetings and opening memoranda.
  - c. The mechanisms to assure that cases and matters are being handled in a timely manner, e.g., tickler systems, periodic case reports on case status, and case reviews.
  - d. The mechanisms to assure that cases and matters are being handled effectively, e.g., periodic case review meetings and case handling and file maintenance protocols.
  - e. The mechanisms to assure that clients are kept informed and participate in decisions about their cases. Describe how confirmation is provided to clients about the advice and decisions they provide. Describe how clients are informed of their responsibilities in the representation. Discuss the frequency of contact with clients. Do clients receive opening and closing letters?
  - f. The mechanisms to assure that casehandlers are aware of and comply with the applicant's priorities, the LSC Act, and LSC appropriations acts, and regulatory requirements (e.g. procedure manuals and periodic training).
4. Describe how the applicant determines which staff, legal and support, attend substantive and skill training. Who makes the decision? How much money was allocated for training last year?
5. Describe the applicant's plans to ensure that it has the following:
- a. Specialized expertise on clients' complex legal issues.
  - b. Library and other legal research materials including practice manuals and related materials about substantive poverty law issues.



- c. Timely information about key judicial, administrative and legislative developments at state and federal levels affecting eligible clients and appropriate legal strategies to respond to those developments.
6. List the sections in the narrative where you have referred to the use of computers or telephone technology (please make sure that where you make significant use of technology, that use is discussed in the proposal narrative. Also, describe additional uses of technology not otherwise addressed in the narrative. Examples: references to web sites and web pages in section A.3, references to telephone systems and 800 numbers in section B.1, and descriptions of telephone system functions and of the use of the case management systems in intake in section B.2.)

<b>Relevant Forms for Section C:</b>	Form D -- Budget Forms Form F -- Governing/Policy Board Forms Form K -- Technology Form
<b>Supplemental Documentation:</b>	Performance Evaluations and Monitoring Reports List of Disciplinary Complaints, etc.
<b>Relevant Regulations:</b>	45 C.F.R. §§ 1607.4, 1616.3, 1616.4, 1616.5, 1611.8, 1629.3
<b>1996 Audit Guide:</b>	Sections 1-2, 1-9
<b>Relevant LSC Performance Criteria:</b>	1.2, 3, 3.1(a), 3.1(b), 3.5, 3.7, 4.1 - 4.5, 5.3
<b>Relevant ABA Standards:</b>	1.1, 1.2, 1.4, 1.5, 2.2 - 2.5, 3.2, 3.3, 3.5, 3.7 4.4, 5.2, 5.3, and 6.1

#### **D. COORDINATION WITHIN THE DELIVERY SYSTEM**

**Weight: 20%**

*Legal services providers should be active participants in an integrated delivery system that seeks to make the most efficient use of all resources, strives for innovations in delivery mechanisms, and is creative in the involvement of the private bar.*

***Note to applicants applying for both Basic Field-General and Basic Field-Native American and/or Basic Field-Migrant service areas:*** Coordination with groups and organizations (D-2) is often different between types of service areas. Be sure to address these differences in the narrative supplement. There is no PAI requirement (D-3) for Native American and Migrant service areas. Nonetheless, applicants are encouraged to list any private attorney activities in topic (D-3).

1. At the beginning of Part 1, (page 24) applicants are asked to discuss their participation in collaborative efforts within the state justice community throughout the proposal narrative. Please list the sections in the proposal narrative where you have referred to your collaborative involvement in efforts that are integrated statewide, or that foster an integrated state justice

community. (Examples: In section A.1., needs assessment will be done statewide this year. In section A.3., a statewide web site is used to provide access to CLE and Pro Se materials.)

2. Describe significant efforts undertaken with groups and organizations within the service area to coordinate and/or provide services to eligible clients. Include groups and organizations providing legal services and those providing other services to the client community.
3. **Use of Private Attorneys.**<sup>3</sup> All successful applicants for Basic Field-General funding (including private attorneys, groups of attorneys and law firms) will be required to comply with 45 C.F.R. Part 1614, which requires that an amount equal to at least 12 1/2% of the annual LSC Basic Field-General award be devoted by the applicant to the involvement of private attorneys in the delivery of legal services to the poor. This requirement seeks to leverage limited resources by involving the private bar through pro bono and compensated models that generate additional services for eligible clients.

Describe the applicant's plans for the effective use of private attorneys in the delivery of legal services to eligible clients, including:

- a. How the PAI efforts will be staffed, and the level of private attorney participation. In your discussion address:
  1. The number of applicant or subgrantee positions that will be involved in the PAI project (in full-time equivalents) by title and responsibility.
  2. The number of attorneys eligible to participate in the PAI program in the service area.
  3. The number of attorneys that currently participate in the PAI program (if relevant).
  4. The number of attorneys that make a monetary donation in lieu of participating in the PAI program.
  5. The number of new attorney participants the applicant recruited last year (if applicable).

---

<sup>3</sup> 45 C.F.R. §1614.4(b) requires recipients to: a) consult with significant segments of the client community, private attorneys, and bar associations, including minority and women's bar associations, in the service area about the applicant's plan to involve private attorneys in the provision of legal assistance to eligible clients, b) to document that the recipient's PAI plan has been presented to all local bar associations within the recipient's service area, and c) to document the responses from the bar. The applicant's response to the RFP PAI inquiries serves as the applicant's PAI plan.

6. The number of additional participants the applicant projects it will recruit this year.
  - b. The methods used to recruit private attorneys including personal and written contacts, involvement of the bar and bench, public service announcements in the local legal media and targeted recruitment to lawyers with special skills. Describe the applicant's plans to retain private attorney volunteers, including the use of retention inducements such as the provision of malpractice insurance, mentoring, training, inclusion in substantive law task forces, provision of other substantive support such as access to specialized research materials and recognition methods.
  - c. How the applicant will involve private attorneys in its work. Describe any methods that the applicant is using or plans to use to involve private attorneys in the applicant's work, such as case handling, hotlines, full service and pro se clinics, community education, and staff training. Describe how the particular skills of private attorneys will be coordinated with identified client and program needs. This description should include an explanation of the range of services provided, how these meet identified client and program needs, how they meet the participants needs and why these uses of private attorneys are the most effective and efficient methods for the applicant to involve the private bar in service delivery.
  - d. How the applicant will ensure quality control of its PAI efforts including assuring that attorney participants are qualified, that participants will receive sufficient support in their efforts, and that all cases sent to participants are appropriate. Describe the applicant's monitoring process used to manage case referrals, case oversight, client satisfaction, etc. Applicants should specifically address how they are using technology in all aspects of their PAI program.
4. Describe the applicant's plan to develop additional resources from public and private sources. This description should include:
  - a. Plans to obtain funds from both government and private sources, and plans to leverage non-financial resources, e.g., in-kind donations of office equipment and staff, law student and retired attorney volunteers, law school faculty or other law school resources, former clients and/or lay advocates.
  - b. Staff's role and responsibilities for resource development activities.
  - c. Whether the applicant produces an annual report and if so how the report is used as a fundraising tool.

**Relevant Forms For Section D:**

Form D -- Budget Forms  
Form K -- Technology Forms

<b>Supplemental Documentation:</b>	List of References Performance Evaluations and Monitoring Reports
<b>Relevant Regulation:</b>	45 C.F.R. Part 1614
<b>Relevant LSC Performance Criteria:</b>	4.6
<b>Relevant ABA Standards:</b>	6.2
<b>Relevant ABA Pro Bono Standards:</b>	2.4, 3.4-7, 3.5, 4.2, 4.4, 4.5, 4.6

**E. EXPERIENCE AND REPUTATION****Weight: 10 %**

*An applicant's previous accomplishments are important indicators of its ability to successfully implement a plan to effectively and efficiently provide high quality legal assistance. While some of those accomplishments will be reflected in the quality of the proposed delivery system (outlined in parts A-D, above), others are evidenced by the applicant's prior legal work. Applicants that previously have not been an LSC recipient have the option of providing additional information that demonstrates their ability to serve eligible clients effectively.*

**Note to applicants applying for both Basic Field-General and Basic Field-Native American and/or Basic Field-Migrant service areas:** In the narrative supplement, applicants must specifically describe experience and accomplishments for any Native American or Migrant service areas for which they are applying.

- 1. For current LSC grant recipients-** Refer to your last LSC grant application. (Section A3) State the three most significant priorities from that application and discuss the extent to which you met or did not meet the objectives and measurable outcomes from those priorities.
- 2. For current LSC grant recipients-** If less than 5% of cases reported were in an area identified as priorities, discuss how that priority is being addressed.
- 3. For all applicants-** Describe the applicant's three most significant accomplishments for clients within the last three years. For each case or matter listed, describe the issue(s), outcome(s), and significance to the client community.
- 4. Only for applicants who are not currently an LSC grant recipient-** Describe accomplishments that demonstrate your ability to provide the highest quality of legal services to clients. This may include staff leadership in the community, outstanding management, development of effective team work/supervision, or the introduction of new technology or distinctive advocacy efforts for particular clients.

<b>Supplemental Documentation:</b>	Performance Evaluations and Monitoring Reports;
------------------------------------	---

	Resumes; List of References; List of Disciplinary Complaints, etc.
<b>Relevant Regulation</b>	45 C.F.R. Section 1634.9
<b>Relevant LSC Performance Criteria:</b>	1.2, 1.5, 2.2, 3.1, 4.1, 4.3, 4.4, 4.5
<b>Relevant ABA Standards:</b>	1.1, 1.2, 1.5, 2.2, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 3.5, 3.6, 3.7, 4.1, 4.3, 4.4, 4.5, 5.2, 5.3, 6.2, 6.5

**F. SUBGRANTS** See page 8 before preparing any subgrant information.

The scope and quality of services provided should be similar throughout the service area. The subgrantee's work should be coordinated with that of the grantee. Subgrantees must adhere to the same standards that apply to all recipients of LSC funds, including the primary criterion, that is, to produce high quality, effective and economical legal assistance that seeks to meet the basic legal needs of eligible clients.

Applicants are required to respond to the topics below if a grant proposal is being submitted in which twenty-five percent or more of the LSC grant award will be subgranted, or if a subgrantee will deliver a full range of services to a specific geographic area within the overall service area. Applicants are required to respond to the topics for each subgrant meeting those criteria. Additionally, applicants are required to complete Attachment 3 (Certification of Intent to Enter into a Subgrant Agreement) for each subgrant meeting those criteria. No specific weight is assigned to the section on subgrants. This is a threshold requirement in order to receive LSC funds. Failure to meet this requirement disqualifies an applicant.

1. Subgrantee name: \_\_\_\_\_
2. Amount of the subgrant: \$ \_\_\_\_\_
3. If the subgrantee is providing a full range of services to a geographical area within the service area, describe the area. If not, describe the subgrantee's responsibilities in some detail.
4. If the subgrantee is providing a full range of services to a specific geographical area within the service area, use the outline below to describe the subgrantee's responsibilities, and the relationship between the applicant and the subgrantee. The applicant should address each topic. The applicant may use a maximum of ten pages for this response. The number of pages used for this response does not count toward the total number of pages of the grant proposal narrative for each section.

*When responding to items a. through d, in those instances where the subgrantee is currently receiving an LSC grant and submitted a grant application or grant renewal*

*application in 2002 for program year 2003, discuss only significant changes or developments in the each section since the subgrantee's last submittal to LSC. If there have been no significant changes or developments in the area, state that information in one sentence.*

- a. Identifying and establishing the most critical legal needs** (e.g., describe the subgrantee's responsibilities in determining the process used to identify the most critical legal needs, conclusions on the most critical legal needs, priorities based on the most critical legal needs, and other available legal resources.)
- b. Components of the delivery approach** (e.g., describe the subgrantee's office and staffing structure, and the operation of the intake system.)
- c. Management and legal work resources** (e.g., describe the subgrantee's involvement in strategic planning, management policies and procedures, legal work management and supervision, staff training, and plans to insure access to specialized expertise and legal research materials.)
- d. Coordination within the delivery system** (e.g., describe the subgrantee's efforts undertaken with community groups and organizations, use of private attorneys, and development of resources from public and private sources.)

***All applicants must respond to items E and F.***

- e.** Describe the relative roles and functions of the respective governing/policy bodies of the recipient and subrecipient as they relate to the subgrant.
- f.** Identify the steps the applicant will take to ensure that the subgrantee adheres to the terms and conditions of the subgrant agreement.

**Other Required Subgrant Documents.** If the subgrantee has not been a recipient of LSC funds in the past three years, applicants must submit the following information on subgrantees:

- g.** Resumes of the subgrantee Executive Director (CEO or functional equivalent), Governing/Policy Body Chair, Chief Financial Officer, Litigation Director or other most senior attorney(s), if known. For lawyers and law firms, provide the resumes of no more than ten of the partners, senior associates, and administrative managers who will be most involved in management or service delivery if a grant is awarded.
- h.** List of up to ten professional references for the subgrantee's organization or, in the case of a new organization, applicant's principals. Provide e-mail addresses, fax numbers, mailing addresses, and telephone numbers. Do not submit letters of reference.

- i. List of subgrantee's professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past three years.
- j. One copy of all performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators of the subgrantee within the past three years, if any.
- k. One copy of independent financial statement audits for the last three years and the appropriate management letters, if available.

**Note:** The information requested here is not a substitute for preparing and submitting the subgrant agreement to LSC. As required by 45 C.F.R. Part 1627, all subgrants must be submitted in writing to LSC for written approval. The subgrant agreement must be submitted to the LSC Office of Compliance and Enforcement no later than November 3, 2003. Applicants are encouraged to thoroughly review the LSC regulation on subgrants, 45 C.F.R. Part 1627.

<b>Supplemental Documentation:</b>	Certification of Intent to Enter into a Subgrant Agreement ( <i>Attachment 3</i> )
<b>Relevant Regulation</b>	45 C.F.R. Section 1627

---

## PART 2 -- OTHER REQUIREMENTS

---

Please note that no specific weight is assigned to any of the requirements in this part. These are threshold requirements in order to receive LSC funds. Failure to meet these requirements disqualifies an applicant.
--

### A. GOVERNING/POLICY BODY

All recipients of LSC funds must have a governing or policy body consistent with the requirements of 45 C.F.R. Part 1607. This regulation is designed to ensure that the governing or policy body of a recipient of LSC funds is well qualified to guide a recipient in its efforts to provide high quality legal assistance and to ensure that the recipient is accountable to its clients.

The composition of the governing or policy body must be at least one-third eligible clients appointed by appropriate client groups, and at least 60 percent attorneys. A majority of the entire Board must be attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s). Additionally, the governing or policy body members should be supportive of the purposes of the LSC Act and have an interest in, and knowledge of, the delivery of quality legal services to the poor.

The regulation defines governing and policy bodies separately. A governing body is a board of directors or other body with authority to govern the activities of a recipient receiving funds under 42 U.S.C. §2996e(a)(1)(A). A policy body is a policy board or other body established by a recipient to formulate and enforce policy with respect to the services provided under a grant or contract made under the Act. For a policy body to comply with the regulations, it must be approved by the President of LSC through a waiver of the governing body regulations.

Applicants that currently do not have a governing or policy body that complies with 45 C.F.R. Part 1607 must provide a plan to meet the governing/policy body requirements. Also, applicants applying for a service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan. This requirement helps assure that the Board of an LSC grantee reasonably reflects the diversity of the legal community and the population of the area(s) served.

Submit the governing/policy body plan along with and at the end of the proposal narrative. Limit the governing/policy body plan to three double-space type written pages. Address the following topics in the governing/policy body plan:

- a. the characteristics of the service area including client diversity, special population groups, and geography;
- b. the total number of governing/policy body members of the proposed board;
- c. the steps that will be taken to assure ethnic, racial, and gender diversity of the proposed board;
- d. the anticipated racial, ethnic, and gender distribution of the proposed board;
- e. the appointing organizations of the proposed board for attorney and client board members; and
- f. how the recipient is assured that the proposed board will be actively engaged in promoting client-centered legal services delivery.

For applicants planning to have a policy body, submission of this plan shall be deemed submission of a waiver request under 45 C.F.R. Part 1607 and shall be subject to approval by the LSC President. All successful applicants will be required to be in compliance with 45 C.F.R. Part 1607 within sixty days from the date the grant award is made. Applicants are encouraged to thoroughly review 45 C.F.R. Part 1607 before preparing the plan. See Form-F in the Forms section of the RFP for instructions, requirements, and the format to follow for the Governing/Policy Body Plan.

<b>Relevant Form for Section A:</b>	Form F -- Governing/Policy Body Forms
-------------------------------------	---------------------------------------



## B. CAPACITY TO COMPLY WITH THE LSC ACT AND REGULATIONS

There is no narrative required for this section of the Request for Proposals. However, during the proposal review process, applicants may be requested to provide copies of:

1. IRS tax-exempt certification, if applicable
2. Current malpractice insurance information
3. Articles of Incorporation and Bylaws, partnership articles, or other governing documents.

**Do not submit these documents at this time.** Instead, applicants must sign Form I (Certification Form), indicating that these documents are available to LSC upon request. **Applicants that are not currently LSC recipients must submit independent financial audits for the last three years, if available.**

<b>Relevant Form for Section B:</b>	Form C -- Grant Assurances Form Form I -- Certification Form
<b>Supplemental Documentation:</b>	<ol style="list-style-type: none"> <li>1. Independent financial audits for the last three years, if available (only applicants who are not currently LSC recipients).</li> <li>2. IRS tax-exempt certification, if applicable</li> <li>3. Current malpractice insurance information</li> <li>4. Articles of Incorporation and Bylaws, partnership articles, or other governing documents.</li> </ol>

## C. CONFLICTS OF INTEREST

In this section of the narrative, applicant should disclose any potential significant conflicts (e.g., applicant has been retained by a housing authority or financial institution) and should describe its capacity to protect against any such conflicts that may arise during the term of the grant or contract.

<b>Relevant Forms for Section C:</b>	Form C -- Grant Assurances Form
--------------------------------------	---------------------------------

**ATTACHMENT 1  
PROPOSAL NARRATIVE OUTLINE  
FY 2004 GRANTS COMPETITION**

Applicants are required to use this outline to prepare the proposal narrative. Precede each section of the proposal narrative with the appropriate topic or subtopic. If the inquiry in the proposal narrative instruction is not applicable, applicants should enter the topic and state "the topic is not applicable."

**APPLICANT NAME:** \_\_\_\_\_

**APPLICANT NUMBER:** \_\_\_\_\_

**LIST ALL SERVICE AREAS APPLIED FOR:** \_\_\_\_\_

**A. IDENTIFYING AND ESTABLISHING THE MOST CRITICAL LEGAL NEEDS**

**Weight: 20 %**

- 1. Process used to identify the most critical legal needs**
  - a. date of the most recent client needs appraisal
  - b. instruments or protocols used
  - c. client and client group participation in this process
  - d. obtaining the views of clients with special access challenges
  - e. process used to determine the most critical legal needs
- 2. Conclusions on the most critical legal needs**
- 3. Priorities based on the most critical legal needs**
- 4. Analytical process used to determine priorities**
- 5. Review of priorities and of what the review consists**
- 6. Other legal resources**

**B. COMPONENTS OF THE DELIVERY APPROACH**

**Weight: 20 %**

- 1. Office and staffing structure and diversity**
  - a. rationale for the office locations
  - b. applicant strategy for addressing client access barriers
  - c. staff experience and expertise as they relate to the most critical legal needs
  - d. efforts to develop a board that reflects the community's diverse elements
  - e. staff diversity, recruitment and retention

2. **Operation of the intake system**
  - a. ways in which clients initiate the intake process
  - b. staffing of the intake system
  - c. decisions on the type of assistance provided to clients
  - d. use of technology in the intake process

**C. MANAGEMENT AND LEGAL WORK RESOURCES**

**Weight: 30%**

1. **Strategic planning that has occurred within the last year**
2. **Management policies and procedures**
  - a. budget planning and oversight
  - b. communication among staff and offices
  - c. performance evaluations
  - d. evaluating program performance
3. **Legal work management and supervision**
  - a. appropriate caseloads for experience and expertise
  - b. case planning
  - c. timely casework
  - d. mechanisms to assure cases are handled effectively
  - e. client participation
  - f. case handlers' compliance with priorities and other requirements
4. **Staff Training**
5. **Plans to ensure access to resources**
  - a. applicant access to specialized expertise
  - b. substantive poverty law research tools
  - c. applicant access to legal updates
6. **Use of Technology**

**D. COORDINATION WITHIN THE DELIVERY SYSTEM**

**Weight: 20%**

1. **Collaborative involvement in efforts that are integrated statewide, or that foster an integrated state justice community.**
2. **Significant efforts undertaken with groups and organizations to coordinate and/or provide services to clients**
3. **Use of private attorneys**

- a. staffing
- b. recruitment and retention
- c. involvement in applicant's work
- d. quality control

**4. Resource development**

- a. leveraging financial and non-financial resources
- b. roles of staff responsible for resource development
- c. applicant annual reports and how they are used

**E. EXPERIENCE AND REPUTATION**

**Weight: 10 %**

- 1 Objectives and measurable outcomes achieved**
- 2 Review of priorities with CSR data**
- 3 Applicant's three most significant accomplishments over the last three years**
- 4 For applicants that have not been an LSC recipient, discuss significant accomplishments demonstrating ability in the following areas:**
  - a. Managing law firm
  - b. Supervision of staff
  - c. Representation of low-income clients

**Include the "Requisite Attachments" here (i.e., (a) resumes, (b) professional references, and (c) disciplinary complaints described on page 20).**

**F. SUBGRANTS** See page 8 before preparing subgrant information.

The format for providing subgrant information is found on page 37 of this instruction. Applicants are required to use that format in providing subgrant information. Note that no specific weight is assigned to the section on subgrants. This is a threshold requirement in order to receive LSC funds. Failure to meet this requirement disqualifies an applicant.

**PART 2 - OTHER REQUIREMENTS**

- a. Governing/Policy Body**
- b. Capacity to Comply with the LSC Act and Regulations (no narrative)**
- c. Conflicts of Interest**

**ATTACHMENT 2**

<b>2004 Grant Application</b> <b>Proposal Cover Sheet - for hard copy document</b>
---

**Applicant Name:** \_\_\_\_\_  
**Applicant Number:** \_\_\_\_\_  
**List all Service Areas Applied For:** \_\_\_\_\_  
**Contact Person:** \_\_\_\_\_  
**Phone # / Fax #:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**Instruction:** *(Applicants should complete this sheet, and attach it as the cover document for the materials listed below. Please separate documents with colored paper.)*

	Item	Number of Documents	Number of Pages
1.	Applicant Certification (Form I)	Original and 1 copy	2
2.	Supplemental Information:		
	a. Subgrant certification - Attachment-3 (applies only to applicants proposing subgrants as described on page 37 of this instruction)	Original and 1 Copy	1
	b. Performance Evaluations or Monitoring reports by non-LSC funders, regulatory agencies, or evaluators	1 Copy	_____
	c. Financial Audits for three years (Applies only to applicants that <u>are not</u> current LSC recipients)	1 Copy	_____

**ATTACHMENT 3****Certification of Intent to Enter into a Subgrant Agreement**

See page 8 before completing this form.

**Applicant Name:** \_\_\_\_\_**Applicant Number:** \_\_\_\_\_

**Instruction:** Complete this certification, and submit it to LSC with all other printed grant proposal documents. This certification should be completed for each subgrant in which twenty-five percent or more of the LSC grant award will be subgranted, or if a subgrantee will deliver a full range of services to a specific geographic area within the overall service area.

1. The applicant hereby certifies that should it be awarded a grant under this grant application, the applicant intends to subgrant a portion of the grant award to:  
\_\_\_\_\_ (name of subgrantee).
2. \_\_\_\_\_ (name of subgrantee)  
hereby agrees to accept the subgrant from applicant and deliver services under the terms of the subgrant agreement to be negotiated between the parties.

\_\_\_\_\_  
Executive Director\_\_\_\_\_  
Executive Director\_\_\_\_\_  
Name of Applicant Program\_\_\_\_\_  
Name of Subgrantee Program\_\_\_\_\_  
Date:\_\_\_\_\_  
Date:\_\_\_\_\_  
Board Chair Signature - Applicant\_\_\_\_\_  
Board Chair Signature - Subgrantee\_\_\_\_\_  
Date:\_\_\_\_\_  
Date: